

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

DARRYL ASHMORE,

Plaintiff,

vs.

NFL PLAYER DISABILITY &
NEUROCOGNITIVE BENEFIT PLAN,

Defendant.

Case No. 9:16-cv-81710-KAM


**DEFENDANT'S MOTION FOR JUDGMENT
ON THE ADMINISTRATIVE RECORD**

Defendant, the NFL Player Disability & Neurocognitive Benefit Plan, files this Motion for Judgment on the Administrative Record. For the reasons stated more fully in the accompanying memorandum of law, the Disability Board's decision to deny Plaintiff's application for disability benefits was neither incorrect nor unreasonable. Therefore, Defendant is entitled to judgment as a matter of law.

Defendant respectfully requests that the Court grant this motion, dismiss Plaintiff's Complaint in its entirety, and enter judgment in favor of Defendant.

Dated: October 30, 2017

Respectfully submitted,



Michael L. Junk, *pro hac vice*
Groom Law Group, Chartered
1701 Pennsylvania Avenue NW
Washington, DC 20006
P: (202) 861-5430
F: (202) 659-4503
mjunk@groom.com

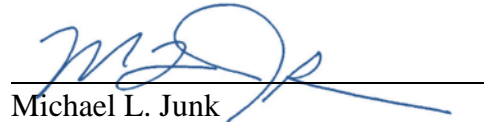
Brian D. Equi
Goldberg Segalla
Florida Bar ID No. 143936
121 S. Orange Ave., Suite 1500
Orlando, FL 32801
P: (407) 458-5605
F: (407) 458-5699
BEqui@goldbergsegalla.com

COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of October, 2017, a true and correct copy of the foregoing Motion for Judgment on the Administrative Record was electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following counsel for Plaintiff:

Edward P. Dabdoub, Esq.
eddie@longtermdisability.net
Carter E. Meader, Esq.
carter@longtermdisability.net
Wagar Dabdoub, P.A.
1600 Ponce de Leon Blvd., Suite 1205
Coral Gables, FL 33134
P: (305) 754-2000
F: (305) 754-2007


Michael L. Junk